

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE, TENNESSEE

WARNER/CHAPPELL MUSIC, INC., a  
Delaware Corporation, WARNER-  
TAMERLANE PUBLISHING CORP., a  
California corporation, WB MUSIC CORP., a  
California corporation, UNICHAPPELL MUSIC  
INC., a Delaware corporation, COTILLION  
MUSIC INC., a Delaware Corporation,  
RIGHTSONG MUSIC INC., a Delaware  
Corporation, and WALDEN MUSIC INC., a New  
York Corporation,

Plaintiffs,

vs.

ACE KARAOKE CORPORATION, a California  
corporation, d/b/a "ACEKARAOKE.COM", and  
DAVID SU, Individually.

Defendants.

Case No. 3:09 cv 0937

Judge Nixon

Magistrate Judge Griffin

JURY DEMAND

**JOINT MOTION FOR ENTRY OF  
AGREED JUDGMENT AND  
PERMANENT INJUNCTION AND  
FOR LEAVE TO FILE UNDER  
SEAL**

NOW COME the parties, WARNER/CHAPPELL MUSIC, INC., a Delaware corporation, *et al.* ("Plaintiffs"), by and through their attorneys, Paul Harrison Stacey, Law Offices of Paul Harrison Stacey, P.C., Timothy L. Warnock and Howell G. O'Rear, Riley, Warnock & Jacobson, PLC, and Defendants, ACE KARAOKE CORPORATION, a California corporation, d/b/a "ACEKARAOKE.COM", and DAVID SU, Individually, by and through their attorneys, James C. Bradshaw, III, Wyatt, Tarrant & Combs, LLP, (collectively, the "Parties") and for their **JOINT MOTION FOR ENTRY OF AGREED JUDGMENT AND PERMANENT INJUNCTION AND FOR LEAVE TO FILE UNDER SEAL**, state as follows:

1. This is an action of copyright infringement. The Parties have entered into a written Settlement Agreement (“Agreement”) as a result of formal mediation with Matthew Sweeney, conducted on August 12, 2010 in Nashville. The unusual nature of the settlement terms and obligations has prompted the Parties to seek leave to file an Agreed Judgment and Permanent Injunction Order under seal.
2. The Agreement contemplates, in pertinent part, for entry of an Agreed Judgment, a Permanent Injunction and dismissal of the Plaintiffs’ claims with prejudice subject only to enforcement of the Agreed Judgment and Permanent Injunction.
3. Due to the nature of the Agreed Judgment provided for therein, the Parties jointly submit that it is in the best interests of a resolution of this cause without further litigation that the Agreed Judgment provided for be filed completely under seal. To that end, the Parties have attached hereto, filed under seal, their {Proposed} Agreed Judgment marked Exhibit “A.”
4. In the event that the Court is not inclined to file the entire Judgment under seal, the Parties have agreed and hereby submit a {Proposed} Alternative Order which consists of a public facing Order in general terms, with the Agreement of the Parties incorporated by reference, but also provides for the Agreement itself to be filed under seal, as opposed to the public facing Order page. The {Proposed} Alternative Order is attached hereto marked Exhibit “B.”
5. While the Parties respectfully acknowledge that it is not commonplace to file judgment orders under seal, they submit that doing so in this case will facilitate effectuating the terms of the Settlement and reaching a final resolution of all of the Plaintiffs’ claims without the additional time and expense that would necessarily

result from continued litigation and trial. For these reasons, concepts of encouraging settlements and the efficient administration of justice outweigh the need for a public record of the Parties' agreement.

6. For all the foregoing reasons, the Parties request the Court's entry of either the {Proposed} Agreed Judgment and Permanent Injunction Order marked Exhibit "A" or, should it be the Court's preference, the {Proposed} Alternative Agreed Judgment and Permanent Injunction Order marked Exhibit "B" and, in so doing, grant the Parties' joint request for leave to file the attachments hereto and the chosen Order under seal as requested.

WHEREFORE, the Parties, WARNER/CHAPPELL MUSIC, INC., et al. ("Plaintiffs"), and Defendants, ACE KARAOKE CORPORATION, et al., respectfully request the entry of an Order granting the request for leave to file the proposed orders attached hereto under seal and entry of either the {Proposed} Agreed Judgment and Order for Permanent Injunction attached hereto marked Exhibit "A" or, in the alternative, the Proposed Agreed Judgment and Order for Permanent Injunction attached hereto marked Exhibit "B," and providing such other and further relief as to the Court seems appropriate in the circumstances.

Respectfully submitted,

s/ Paul Harrison Stacey  
Paul Harrison Stacey  
Law Offices of Paul Harrison Stacey, P.C.\*  
Attorney for Plaintiffs  
7225 N. Spring Gulch Road  
P.O. Box 4157

Jackson, WY 83001  
Ph: 307-733-7333  
Fax: 307-733-7360  
Wy. Atty. No. 5-2615

\*Illinois Office:  
202 W. Willow Avenue, Suite 103  
Wheaton, Illinois 60187  
Ph: 630-462-1949  
Fax: 630-462-9293  
Email: [PStacey151@msn.co](mailto:PStacey151@msn.co)

and

s/Timothy L. Warnock  
Timothy L. Warnock BPR#12844  
Attorney for Plaintiffs,  
Riley Warnock & Jacobson, PLC  
1906 West End Avenue  
Nashville, TN 37203  
Ph.: 615-320-3700  
Fax: 615-320-3737  
***Attorneys for Plaintiffs,  
Warner/Chappell Music, Inc., et al.***

/s/James C. Bradshaw III  
James C. Bradshaw III  
WYATT, TARRANT & COMBS, LLP  
2525 West End Avenue, Suite 1500  
Nashville, Tennessee 372031423  
***Attorney for Defendants, Ace Karaoke  
Corporation, a California corporation,  
d/b/a "ACEKARAOKE.COM", and David  
Su, Individually.***

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served by via the Court's ECF filing system upon the following:

James C. Bradshaw III  
WYATT, TARRANT & COMBS, LLP  
2525 West End Avenue, Suite 1500  
Nashville, TN 37203-1423

Paul Harrison Stacey  
Law Offices of Paul Harrison Stacey, P.C.\*  
7225 N. Spring Gulch Road  
P.O. Box 4157  
Jackson, WY 83001

this the 17<sup>th</sup> day of September, 2010.

s/Timothy L. Warnock